

1971 Assembly Bill 189

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CHAPTER 109, Laws of 1971

AN ACT to amend 269.57 (2) of the statutes, relating to physical examination of claimants in personal injury cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

269.57 (2) of the statutes is amended to read:

269.57 (2) (a) The court or a presiding judge thereof may, upon due notice and cause shown, in any action brought to recover for personal injuries, order the person claiming damages for such injuries ~~to~~:

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1. To submit to a physical examination by such physician or physicians as such court or a presiding judge may order and upon such terms as may be just ; ~~and may also order such party to , but no court or judge shall order or compel any person to undergo a physical examination by a physician to whom that person objects in writing submitted to such court or judge. Only one such objection to a specified physician shall be allowed a person in any action.~~

2. To give to the other party or any physician named in the order, within a specified time, an inspection of such X-ray photographs as have been taken in the course of the treatment of such party for the injuries for which damages are claimed, and inspection of hospital records and other written evidence concerning the injuries claimed and the treatment thereof; ~~and if~~

(b) If compliance with the portion of said order directing inspection be refused, the court may exclude any of said photographs, papers and writings so refused inspection from being produced upon the trial or from being used in evidence by reference or otherwise on behalf of the party so refusing.

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